

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

RICKY NELSON NELMS,
Petitioner,

v.

LARRY T. EDMONDS,
Respondent.

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Civil Action No. 7:14cv00649

FINAL ORDER

By: Michael F. Urbanski
United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** that Nelms' petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 is **DISMISSED** as untimely filed and this case is **STRICKEN** from the active docket of the court.

Further, finding that Nelms has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c), a certificate of appealability is **DENIED**.

The Clerk of the Court is directed to send a copy of this order and accompanying memorandum opinion to the petitioner.

Entered: February 2, 2015

Michael F. Urbanski

Michael F. Urbanski
United States District Judge